

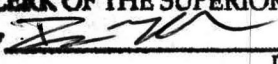
EXHIBIT 10

OF HAZZARD DECLARATION

FILED
ALAMEDA COUNTY

JUL 10 2023

CLERK OF THE SUPERIOR COURT

By  Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA

GARY MOUNTAIN and SUSAN
MOUNTAIN,

Plaintiffs,

vs.

DP ELECTRIC, et al.,

Defendants.

DAVID LUIS PEREZ AND DONNA PEREZ,

Cross-Complainants,

vs.

CARSON MADRONA COMPANY, LLC, et
al.,

Cross-Defendants.

AND RELATED CROSS-ACTIONS

CASE NO.: RG 17857926

ASSIGNED FOR ALL PURPOSES TO
THE HONORABLE JEFFREY S. BRAND
DEPARTMENT 22

SPECIAL VERDICT FORM

Complaint Filed: April 24, 2017
Trial Date: May 8, 2023

SPECIAL VERDICT FORM

We, the jury, answer the questions submitted to us as follows:

1. Was Carson Madrona Company, LLC negligent?

 ☒ Yes No

- 1 -

SPECIAL VERDICT FORM
Case No.: RG 17857926

1 If your answer to Question 1 is "yes," then answer Question 2. If your answer to Question 1 is "no,"
2 insert the number zero next to Carson Madrona Company, LLC's name in Question 11, and answer
3 Question 3.

- 4 2. Was Carson Madrona Company, LLC's negligence a substantial factor in causing harm to
5 David Perez?

6 ☒ Yes ☐ No

- 7
8 3. Was James L. Krasne, Trustee of the Diane Pregerson Glazer Survivor's Trust dba SanOak
9 Management Company negligent?

10 ☒ Yes ☐ No

11 If your answer to Question 3 is "yes," then answer Question 4. If your answer to Question 3 is "no,"
12 insert the number zero next to James L. Krasne, Trustee of the Diane Pregerson Glazer Survivor's Trust
13 dba SanOak Management Company name in Question 11, and answer Question 5.

- 14 4. Was James L. Krasne, Trustee of the Diane Pregerson Glazer Survivor's Trust dba SanOak
15 Management Company's negligence a substantial factor in causing harm to David Perez?

16 ☒ Yes ☐ No

- 17
18 5. Was Jeremy Blanchard negligent?

19 ☐ Yes ☒ No

20
21 If your answer to Question 5 is "yes," then answer Question 6. If your answer to Question 5 is "no,"
22 insert the number zero next to Jeremy Blanchard's name in Question 11, and answer Question 7.

- 23 6. Was Jeremy Blanchard's negligence a substantial factor in causing harm to David Perez?

24 ☐ Yes ☐ No

25
26
27
28 - 2 -

SPECIAL VERDICT FORM
Case No.: RG 17857926

7. Was Stoneledge Furniture, LLC dba Ashley Furniture Homestore negligent?

☒ Yes ☐ No

If your answer to Question 7 is "yes," then answer Question 8. If your answer to Question 7 is "no," insert the number zero next to Stoneledge Furniture, LLC dba Ashley Furniture Homestore's name in Question 11, and answer Question 9.

8. Was Stoneledge Furniture, LLC dba Ashley Furniture Homestore's negligence a substantial factor in causing harm to David Perez?

☐ Yes ☒ No

9. Was David Perez Negligent?

☐ Yes ☒ No

If your answer to Question 9 is "yes," then answer Question 10. If your answer to Question 9 is "no," insert the number zero next to David Perez's name in Question 11 and skip Question 10.

10. Was David Perez's negligence a substantial factor in causing his own harm?

☐ Yes ☐ No

If you answered "yes" to any of the above Questions 2, 4, 6, or 8, then answer Questions 11 and 12. Otherwise, answer no further questions, and have the presiding juror sign and date this form.

11. What percentage of responsibility for David Perez's harm do you assign to the following? Insert a percentage only for those who received a "yes" answer in Questions 1, 3, 5, 7, or 9.

Carson Madrona Company, LLC	<input type="text" value="50"/> % (LL)
James L. Krasne, Trustee of the Diane Pregerson Glazer Survivor's Trust dba SanOak Management Company	<input type="text" value="50"/> % (LL)
Jeremy Blanchard	<input type="text" value="0"/> %
Stoneledge Furniture, LLC dba Ashley Furniture Homestore	<input type="text" value="0"/> % (LL)
David Perez	<input type="text" value="0"/> %
	Total 100%

- 3 -

SPECIAL VERDICT FORM
Case No.: RG 17857926

1 12. What are David Perez's damages?

2 Do not reduce the damages based on the fault, if any, of David Perez or others.

3
4 a. Past Noneconomic Damages \$7,000,000

5
6 b. Future Noneconomic Damages \$13,500,000

7
8 TOTAL (ALL DAMAGES) FOR DAVID PEREZ \$20,500,000

9
10 13. What are Donna Perez's damages for the loss of her husband David's consortium?

11
12 \$5,000,000

13
14 Dated: July 10, 2023

/Laura Leibowitz
SIGNATURE OF FOREPERSON

15
16
17 Laura Leibowitz
18 FOREPERSON (Print name)

PROOF OF SERVICE

The undersigned certifies under the penalty of perjury under the laws of the State of California that I am over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein. My business address is 775 San Diego Road, Berkeley, CA 94707. My electronic service address is sinjijian@comcast.net. On the date given below, I caused to be served the following documents on the following persons and in the manner listed below:

[PROPOSED] JUDGMENT ON SPECIAL VERDICT

- ☒ BY E-MAIL: this document is being served by electronic transmission only to counsel for all parties, at the email addresses they have provided, pursuant to California Code of Civil Procedure section 1010.6(e)(1), effective January 1, 2021, or an agreement. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.
- ☒ (STATE) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED this 4th day of August 2023.



Susie Injijian

SEE ATTACHED SERVICE LIST.

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Blanchard

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Counsel for Defendants/Cross-
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Furniture, LLC; Ashley Furniture Industries,
Inc.

<p align="center">SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA</p>	<p align="center">Reserved for Clerk's File Stamp</p>
<p>COURTHOUSE ADDRESS: Rene C. Davidson Courthouse 1225 Fallon Street, Oakland, CA 94612</p>	<p align="center">FILED Superior Court of California County of Alameda 08/07/2023</p>
<p>PLAINTIFF/PETITIONER: Gary Mountain et al</p>	<p>Chad Finke, Executive Officer / Clerk of the Court By:  Deputy</p>
<p>DEFENDANT/RESPONDENT: DP Electric et al</p>	<p align="center">B. Mercado</p>
<p align="center">CERTIFICATE OF ELECTRONIC SERVICE CODE OF CIVIL PROCEDURE 1010.6</p>	<p>CASE NUMBER: RG17857926</p>

I, the below named Executive Officer/Clerk of Court of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served one copy of the Judgment on Special Verdict entered herein upon each party or counsel of record in the above entitled action, by electronically serving the document(s) from my place of business, in accordance with standard court practices.

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Chad Finke, Executive Officer / Clerk of the Court

Dated: 08/07/2023

By:



B. Mercado, Deputy Clerk

PROOF OF SERVICE

The undersigned certifies under the penalty of perjury under the laws of the State of California that I am over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein. My business address is 775 San Diego Road, Berkeley, CA 94707. My electronic service address is sinjijian@comcast.net. On the date given below, I caused to be served the following documents on the following persons and in the manner listed below:

NOTICE OF ENTRY OF JUDGMENT

- ☒ BY E-MAIL: this document is being served by electronic transmission only to counsel for all parties, at the email addresses they have provided, pursuant to California Code of Civil Procedure section 1010.6(e)(1), effective January 1, 2021, or an agreement. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.
- ☒ (STATE) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED this 7th day of August 2023.



Susie Injijian
Attorney for Cross-Complainants
DAVID LUIS PEREZ and DONNA PEREZ

SEE ATTACHED SERVICE LIST.

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Inc.